

**LABOR SERVICES DIVISION[875]**

**Notice of Intended Action**

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 89.14, the Boiler and Pressure Vessel Board hereby gives Notice of Intended Action to amend Chapter 90, “Administration of the Boiler and Pressure Vessel Program,” and Chapter 91, “General Requirements for All Objects,” Iowa Administrative Code.

In this Notice, the Boiler and Pressure Vessel Board proposes to adopt by reference current versions of codes published by the American Society of Mechanical Engineers, National Fire Protection Association, and National Board of Boiler and Pressure Vessel Inspectors. Adopting rules that are consistent with current industry standards allows installation of the most current technologies in Iowa.

The purposes of these amendments are to make the rules more current, protect the safety of the public, and implement legislative intent.

If requested in accordance with Iowa Code section 17A.4(1)“b” by the close of business on December 15, 2015, a public hearing will be held on December 16, 2015, at 2:30 p.m. in the Capitol View Room at 1000 East Grand Avenue, Des Moines, Iowa. Interested persons will be given the opportunity to make oral statements and file documents concerning the proposed amendments. The facility for the oral presentations is accessible to and functional for persons with physical disabilities. Persons who have special requirements should call (515)281-5915 in advance to arrange access or other needed services.

Written data, views, or arguments to be considered in adoption shall be submitted by interested persons no later than December 16, 2015, to the Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209. Comments may be sent electronically to [kathleen.uehling@iwd.iowa.gov](mailto:kathleen.uehling@iwd.iowa.gov).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 89.

The following amendments are proposed.

ITEM 1. Amend subrule 90.6(1) as follows:

**90.6(1) General.** All boilers and unfired steam pressure vessels covered by Iowa Code chapter 89 shall be inspected according to the requirements of the National Board Inspection Code (~~2013~~) (2015), which is hereby adopted by reference. A division inspector or special inspector must perform the inspections.

ITEM 2. Amend subrule 91.1(1) as follows:

**91.1(1) ASME boiler and pressure vessel codes adopted by reference.** The ASME Boiler and Pressure Vessel Code (~~2013~~) (2015) is adopted by reference. Regulated objects shall be designed and constructed in accordance with the ASME Boiler and Pressure Vessel Code (~~2013~~) (2015) except for objects that meet one of the following criteria:

- a. An object with an ASME stamp and National Board Registration that establish compliance with an earlier version of the ASME Boiler and Pressure Vessel Code;
- b. An object within the scope of 875—Chapter 95;
- c. Rescinded IAB 10/5/11, effective 11/9/11.
- d. A miniature boiler installed before March 31, 1967;
- e. A power boiler or unfired steam pressure vessel installed before July 4, 1951; or
- f. A steam heating boiler, hot water heating boiler, or hot water supply boiler installed before July 1, 1960.

ITEM 3. Amend subrules 91.1(3) and 91.1(4) as follows:

**91.1(3)** *Inspection code adopted by reference.* The National Board Inspection Code (~~2013~~) (2015) is adopted by reference, and reinstallations, installations, alterations, and repairs after ~~May 20, 2015~~ April 1, 2016, shall comply with it.

**91.1(4)** *Electric code adopted by reference.* The National Electrical Code (~~2011~~) (2014) is adopted by reference, and reinstallations and installations after ~~May 20, 2015~~ April 1, 2016, shall comply with it.

ITEM 4. Amend subrule 91.1(7) as follows:

**91.1(7)** *Mechanical code adopted by reference.* Excluding Section 701.1, Chapters 2 and 7 of the International Mechanical Code (IMC) (~~2012~~) (2015) are adopted by reference, and installations and reinstallations after ~~May 20, 2015~~ April 1, 2016, shall comply with them.

ITEM 5. Amend subrules 91.1(9) to 91.1(11) as follows:

**91.1(9)** *Fuel gas code adopted by reference.* National Fire Protection Association National Fuel Gas Code, NFPA 54 (~~2012~~) (2015), is adopted by reference, and installations and reinstallations after ~~May 20, 2015~~ April 1, 2016, shall comply with it.

**91.1(10)** *Liquefied petroleum gas code adopted by reference.* National Fire Protection Association Liquefied Petroleum Gas Code, NFPA 58 (~~2011~~) (2014), is adopted by reference, and installations and reinstallations after ~~October 10, 2012~~ April 1, 2016, shall comply with it.

**91.1(11)** *Boiler and combustion systems hazards code adopted by reference.* National Fire Protection Association Boiler and Combustion Systems Hazards Code, NFPA 85 (~~2011~~) (2015), is adopted by reference, and installations and reinstallations after ~~October 10, 2012~~ April 1, 2016, shall comply with it.